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November 5, 2020

Via ECF

The Honorable Judge Phillip Halpern
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

RE: Indig v. Village of Pomona
Case No. 7:18-cv-10204 (PMH)
Our file: 00295.12686

Plaintiffs' Application for a Temporary Restraining Order and Preliminary Injunction is denied as moot. The Clerk is instructed to terminate ECF No. 153.

SO ORDERED.

Philip M. Halpern, U.S.D.J.

Dated: New York, NY
November 9, 2020

Dear Judge Halpern:

Please allow this joint letter from the defendants to provide you with an update on the status of this matter. Pursuant to your Order, an inspection of Mr. Klein's residence at 63 Halley Drive, Pomona, New York was conducted this morning by Mr. Zummo with counsel present. Fusco Engineering did not appear for the inspection. Based upon the inspection, the Stop Work Order from October 2017 is lifted. We have notified plaintiff's counsel.

The "pass" card for the inspection will be available at the Village Hall by tomorrow, November 6, 2020. Additionally, there are some items, which were noted that will need to be remedied; however, these do not effect the lifting of the Stop Work Order. A list will be provided with the "pass" card for the inspection. As Mr. Klein moves forward with the construction, including remedying the items on the list, counsel should advise us in writing when the premises is ready for another inspection. Thank you.

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Very truly yours,

Wilson Elser Moskowitz Edelman & Dicker LLP

A handwritten signature in dark ink, appearing to read 'Janine A. Mastellone', followed by a long horizontal flourish.

Janine A. Mastellone

CC:

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